

LOCKWOOD ASKS IN GRAFT BATTLE Inability to Grant It Hides Guilty in Court House Contracts.

PLEA TO LEGISLATURE Demands Authority to Carry Inquiry Through to Finish.

IS OPPOSED BY WALKER Action on Resolution for Hy- lan Probe Waits Word From Miller.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau,
Albany, Jan. 6.

In demanding that the Legislature give to the committee of which he is chairman the power to grant immunity, Senator Lockwood told the Senate to-day he would have been able to prove who was to get the \$1,000,000 graft from the Court House job in New York had the hands of the investigators not been tied.

Meeting the challenge of the Tammany members, who fought hard to sidetrack the Lockwood committee and to block the proposed investigation of the Hyman administration, Senator Lockwood demanded that his committee have the authority it needs to carry its inquiry through to the finish.

Both the Lockwood committee's resolution for the extension of its life and broadening of its powers and the Robinson-Stenberg resolution calling for an investigation of the New York administration were referred to committee.

Senator Lusk, majority leader, declared he would insist on the Lockwood resolution coming out of the Finance Committee when the session meets to begin its regular business next Wednesday. He denied emphatically he had any intention of trying to halt the Lockwood investigation. He said he would use his office to see the inquiry was not blocked.

In view of the Governor's recommendation that he be given sweeping powers of investigation over city and county officers, through extension of the Moreland act, the disposition of the legislative leaders is to take no action on demand for a Hyman probe until Mr. Miller has made known his plan. It is believed the Robinson-Stenberg resolution will rest in committee.

Untermeyer Assailed.

Senator Walker, Tammany spokesman in the upper house, assailed Samuel Untermeyer and damned the Lockwood Committee by faint praise when Mr. Lockwood presented his report and his resolution asking for the further life and authority. While insisting that he and the Tammany members did not wish to stand in the way of the housing inquiry, he said he would be helpful to the entire country, Walker in the next breath poked fun at the committee, ridiculed Mr. Untermeyer and charged that the committee were mere automatons not acting in good faith.

"Senator Walker evidently mistakes noise and cheap comedy for real work," Senator Lockwood said indignantly. "The members of the committee are not automatons. They are real men who have worked night and day to help the housing situation and who have withstood terrific pressure brought to bear on them to make them forget their duty."

"The State architect told me to-day the State had saved \$400,000 on contracts for the housing of the poor. He said he had no doubt but that the State would have saved more if we had not given him the money to make this inquiry. We learned that the same work would have cost any contractor \$800,000 at the same time."

"There were men in that limestone ring who were ready and willing to go on the stand and tell where that \$1,000,000 of graft was going if we did give them immunity. We could not do it. If we had the authority we could have shown very startling things as yet unknown. There is no occasion here to give the committee the power to grant immunity. The Senator concluded, looking at Walker. The latter again assailed Untermeyer, and said the committee had no right to request an immunity clause for the Finance Committee, and that the Finance Committee, he said, had no right to ask for immunity for the Finance Committee."

Senator Lockwood asked for immediate consideration of his resolution, but Senator Hewitt, chairman of the Finance Committee, objected because the request carried an appropriation, and the resolution went to the Finance Committee for consideration.

Senator Lusk, majority leader, said it would be brought out and acted on at the first moment the committee was organized next week.

Resolution Goes Over.
The Robinson-Stenberg resolution was dealt with in short order. In the assembly it was put over for ten days and in the Senate referred to the Finance Committee. Mr. Robinson said he had no objection to the resolution being referred to the Finance Committee, but he said he would be dealing with the question of investigating the New York administration. The resolution recites that the city administration is demoralized on account of its incompetency and corruption and has broken down completely in several branches, including the offices of the Police Commissioner and District Attorney, and the failure to provide for schools. It called for a joint committee and gave power to grant immunity.

Senator Walker was alone a second time in the opposition. All other Tammany members were silent. Walker said the resolution was prompted purely by political motives and that if there was not a campaign in sight next year no one would be thinking of such an inquiry. He defended "his fair city" and became quite indignant because New York was being made the scapegoat for politicians seeking to get into office.

First Negro Seated in Missouri Legislature

JEFFERSON CITY, Mo., Jan. 5.—The Missouri Legislature convened to-day with Republican majorities in both houses for the first time since the civil war.

W. M. Moore from the Sixth (St. Louis) legislative district, the first negro ever to be seated in the Missouri Legislature, took the oath of office with other members. The Sixth is in the fashionable west end of St. Louis.

The seat occupied by Moore is one of the most conspicuous in the hall and the desk literally was covered with flowers.

MILLER MESSAGE TO LEGISLATURE

Continued from Preceding Page.

above mentioned in which the greatest increase in interest is the Secretary of State's office, the Comptroller's office, the Department of Health, the Educational Department and the Agricultural Department.

New Administrative Expense.

The administration of new tax laws accounts for the principal increase in administrative expense in the first two named, and is covered by what has been said on that subject. New activities have been added to the other departments named, and that doubtless accounts in considerable part for the increase. No other increases have been so great as to suggest the need of a careful survey. Of course, nothing should be done to impair the efficiency of those departments. But I have no doubt, indeed the mere examination of the budget convinces me that better correlation of effort, greater efficiency and substantial economies can be effected in the various departments. I have no objection to the State government, and we must accomplish those results either with or without the aid of department heads.

I think the present organization of the Agricultural Department unsound upon its face. The Council of Farms and Markets may seem to keep the department out of politics, and for that reason can properly be continued, but it is not suited to discharge and should not be clothed with any administrative functions. There is no reason that I can perceive for divided department, and I believe that economy and efficiency of administration will be promoted by a single head to be appointed by the Governor, and I recommend that these changes be made. I also recommend that changes be made in the law so as to safeguard the payment of compensation for the killing of hogs.

Department of Education.

In the Department of Education the physical training work last year involved an expenditure for salaries and traveling expenses, allowance to teachers for attending conferences and quotas for physical training teachers of more than \$500,000, and it may be sure that the expenditure was not less than \$1,000,000.

There was also appropriated for Americanization work for 1920-1921, \$250,000, to say nothing of the collateral expenses included in other items. Increases have been asked this year of \$4,400 for salaries for physical training and \$29,100 for the administration of the Americanization law. I am informed, however, by the Department of Education that substantial reductions may properly be made.

I do not minimize the importance of Americanization or physical training, and in dealing with such subjects I would not err on the side of economy. But our necessities require us to be practical about these matters, and I doubt that much of the work so far done has been practical. I believe we can do a great deal more with the same money, and I believe that the work can be done more effectively and more economically. I believe that the work can be done more effectively and more economically. I believe that the work can be done more effectively and more economically.

The first duty of the State is to provide an elementary education for all our boys and girls, and nothing should be done to interfere with that duty. I believe that the work can be done more effectively and more economically. I believe that the work can be done more effectively and more economically. I believe that the work can be done more effectively and more economically.

I recommend that substantial amendments be made to the physical training law, at least in respect of its compulsory features. It appears to me that the rural schools should be relieved of the burden placed upon them and that the State should assume the responsibility placed upon them of giving such physical training as circumstances and conditions may warrant. By all means, let the elementary teachers be trained to look after the health and physical well-being of their pupils. And let the Department of Education continue in a practical way to advance the cause of education, both mental and physical. Of course, you will hear what those charged with the administration of these laws have to say. I recommend that the items of the budget be reduced to the very lowest terms. A reduction of at least \$500,000 in these items alone should be made.

Military Training Commission.

From what has already been said, it must be apparent that I am of the opinion that the Military Training Commission is one of the departments that can be eliminated. Its appropriation last year was \$223,185. It is requested that this year \$607,480.

through organizations like the "Boy Scouts."

Our necessities constrain me to recommend the repeal of the law and the abolition of the commission, effecting a reduction in the budget of \$607,480.

The appropriations last year for the penal, charitable and curative institutions were \$36,604,579.57, being second only to those for education. The requests in that group this year total \$56,787,678.82.

The prisons are under the fiscal control and management of the Superintendent of Prisons, and under the Comptroller's control. Indeed, I am inclined to the view that the prisons should be kept, both as to the management and fiscal control, in a class by themselves.

The question arises in my mind whether all State institutions other than the prisons should not be brought under one fiscal control, and whether such control with central purchasing for all will result in economy. This subject has been much discussed and many efforts have been made to solve it. It has assumed such proportions that it must be treated as a business problem. I do not recommend any change which would interfere with local boards or the present management, which I believe to be excellent. Nothing should be done to diminish the comfort of the State's unfortunate, or to disturb the morale of those whose lives are devoted to their care. But the problem will not down until it is solved right! I wish to give the subject further study before arriving at definite conclusions. Meanwhile, I commend it to your careful consideration. We should take no step without first being assured of our grounds therefor.

Central Fiscal Control.

I also invite consideration of the question whether the tuberculosis hospitals, the State Hospital for the Crippled Children at West Haverstraw should not be placed under the Department of Health, and whether the schools for the blind and deaf and the Thomas Indian School should not be placed under the jurisdiction of the Educational Department.

The increase in vocational and agricultural schools and colleges and the rapid growth of appropriations therefor also suggest the inquiry whether there should not be some central fiscal control for the blind and deaf and the Thomas Indian School should not be placed under the jurisdiction of the Educational Department.

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Would Abolish Positions.

We have a Board of Port Wardens, which so far as I have been able to learn performs no useful function. Their salaries have many times been recommended to be abolished. They have been abolished, not only to save expense, but for the even stronger reason that an example be set of not continuing any position which is a needless patronage.

The office of superintendent of elections had appropriations of \$28,350 last year, and requests \$319,950 this year. The public interest in the election department and recommended that it be abolished.

The Federal Government is about ready to take over the Department of the Interior, and the Department of the Interior is about ready to take over the Department of the Interior. The Department of the Interior is about ready to take over the Department of the Interior.

MANILA CRITIC GETS 2 MONTHS.

MANILA, P. I., Jan. 5.—Gregorio Perfecto, editor of the Nation, organ of the Democratic party, was sentenced here to two months imprisonment, following conviction on a charge of having criticized members of the Legislature.

Municipal Investigations.

The financial condition of many municipalities is even more serious than that of the State and the causes are largely the same. Accumulation of debt and mismanagement of affairs. There is not only duplication of service among State activities, but like duplication as between State and municipal activities. A careful survey should be made with a view of eliminating such duplication. Things that can best be done by the localities should be left exclusively to them and the localities should be encouraged to do so. The things that can best be done by the State should be done by the State. I am persuaded that the effort should be made to decentralize the management of the State and to continue the strong trend toward centralization of power and authority. With respect to local administration, the Legislature should be extremely careful in passing legislation imposing

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expense upon the local governments.

I do not say that an inflexible rule can be adopted on this subject, but certainly a plain case of public necessity should be established to warrant the exercise of such legislative power.

The same observation applies to the practice which, if indulged in, always grows, of passing legislation involving additional expense to the State without any reference to the State's revenues. The practice seems to have been first to pass the law committing the State to some new activity, then to pass the appropriation, and last, to find the money.

FEDERAL AID VAIN, UNTERMEYER VIEW

Doubts if U. S. Prosecutors Get Free Hand in Housing Inquiry.

Samuel Untermeyer in a telegram sent yesterday to State Senator Charles C. Lockwood, chairman of the joint legislative housing committee, expressed doubt that a free hand would be allowed to William Rand and Isador J. Kresel, who were appointed Tuesday by Attorney-General Palmer as Federal prosecutors of alleged violations of the Sherman anti-trust law.

Mr. Untermeyer said he feared that when public interest in the investigation of housing conditions becomes less the influence behind the offenders will prevent Federal prosecution. His telegram follows:

"I am more than 100 months I have, as you know, been vainly demanding that the Department of Justice appoint competent lawyers to act upon the most important and flagrant of the many violations of the Federal anti-trust laws disclosed by the committee. The recent appointment of Joseph Kaufman was absurdly inadequate. I so characterized it to the Federal authorities and protested against it at the time. The memorial to Congress was decided upon in sheer desperation over the hopeless inefficiency and deliberate inaction of the department."

"Apparently they have finally been driven to an appearance of activity by my insistent demands, as evidenced by the appointment yesterday of Messrs. Rand and Kresel. Both of them are admirable selections, although the fact that they are partners indicates, I fear, that we shall not get all their time, and that would be unfortunate. For my help is needed. Mr. Rand was suggested by me some time ago to Mr. Caffery, who, by the way, is not responsible for the situation of which I have been complaining."

"How far these gentlemen will be permitted to proceed against the powerful Pennsylvania steel and cement manufacturers who are primarily involved remains to be seen, but the fact that the department has at last been forced to see the light is encouraging."

"If these proper facilities are furnished in the direction of additional grand juries, investigators, etc., the usefulness of these gentlemen will, however, be greatly restricted. In view of this, I suggest that the committee's proposed report, as forwarded to you yesterday, be now amended by omitting the memorial to Congress for the present, but that Messrs. Rand and Kresel will really be given a free hand, which I regret to say I seriously doubt. My fear is that when public interest subsides the tremendous influence behind the offenders will strangle the prosecutions."

In the proposed memorial, a copy of which was given out yesterday by the committee, Congress is urged to provide additional facilities for prosecuting violations of the anti-trust laws.

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DELYSIA In the Musical Show

"AFGAR"

"Has taken New York by storm."—*Telegram*

APOLLO West 42nd St. Eves. 8:30

Mats. Wed. & Sat. 2:30

FRANCES WHITE in "JIMMIE"

With BEN WELCH and Star Cafe

SELWYN W. 42nd St. Eves. 8:30

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FRANK TINNEY in "TICKLE ME"

Musical Comedy

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